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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/539,482	03/30/2000	Kenncth R James	ADAPP120	8403

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EXAMINER

RONES, CHARLES

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 03/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/539,482

Applicant(s)

JAMES, KENNETH R

Examiner

Charles L. Rones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Amendment

The amendment and IDS timely filed on January 13, 2003 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by McMurdie et al. U.S. Patent No. 6,401,169 ('McMurdie').

McMurdie discloses:

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As to claim 1,

examining a set of files selected to be recorded on the optical disc; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

creating a record data structure for each file in the set of files to be recorded on the optical disc; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

generating a set of pointers to associate the record data structures with a writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

processing each of the record data structures one after another in the writing order to produce ordering data structures for each file in the set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18; and

processing the ordering data structures to write the set of files onto the optical disc in the writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 2,

wherein the record data structure includes one or more of a group of information strings comprising a file parent, a volume label index, a file size, a logical block number of a data file, a file path, a file attributes, a data mode, a removable media indicator, an

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embedded subheader string, and an imported file indicator; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 3,

designating data files to be written to system cache memory; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

assigning data files designated to be written to system cache memory to a specific location in system cache memory; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

verifying that the record data structures accurately define each of the set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 4,

wherein each of the ordering data structures include pointers to a source file; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

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As to claim 5,

wherein the pointers include one or more of a group of information strings referencing source data files and including a file source path, a file start offset, a file end offset, and a file pad to size; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 6,

wherein the processing of the ordering data structures includes passing the ordering data structures to a CD recording engine, the CD recording engine writing the set of files onto the optical disc in the writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 7,

receiving a request to write the set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 8,

wherein the method is executed by computer executing code that defines a file system database block; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 9,

generating a set of pointers to associate record data structures with a writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

processing each of the record data structures one after another in the writing order to produce ordering data structures for each file in a set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18; and

processing the ordering data structures to write the set of files onto the optical disc in the writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 10,

examining a set of files selected to be recorded on the optical disc; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 11,

creating a record data structure for each file in the set of files to be recorded on the optical disc; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 12,

wherein the record data structure includes one or more of a group of information strings comprising a file parent, a volume label index, a file size, a logical block number of a data file, a file path, a file attributes, a data mode, a removable media indicator, an embedded subheader string, and an imported file indicator; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 13

designating data files to be written to system cache memory; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

assigning data files designated to be written to system cache memory to a specific location in system cache memory; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

verifying that the record data structures accurately define each of the set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 14,

wherein each of the ordering data structures include pointers to a source file; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 15,

wherein the pointers include one or more of a group of information strings referencing source data files and including a file source path, a file start offset, a file end offset, and a file pad to size; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 16,

wherein the processing of the ordering data structures includes passing the ordering data structures to a CD recording engine, the CD recording engine writing the set of files onto the optical disc in the writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 17,

receiving a request to write the set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 18,

wherein the method is executed by computer executing code that defines a file system database block; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

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As to claim 19,

program instructions for examining a set of files selected to be recorded on the optical disc; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

program instructions for creating a record data structure for each file in the set of files to be recorded on the optical disc; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

program instructions for generating a set of pointers to associate record data structures with a writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

program instructions for processing each of the record data structures one after another in the writing order to produce ordering data structures for each file in a set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18; and

program instructions for processing the ordering data structures to write the set of files onto the optical disc in the writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 20,

wherein the record data structure includes one or more of a group of information strings comprising a file parent, a volume label index, a file size, a logical block number of a data file, a file path, a file attributes, a data mode, a removable media indicator, an

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embedded subheader string, and an imported file indicator; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 21,

designating data files to be written to system cache memory; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

program instructions for assigning data files designated to be written to system cache memory to a specific location in system cache memory; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18;

program instructions for verifying that the record data structures accurately define each of the set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 22,

wherein each of the ordering data structures include pointers to a source file; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 23,

wherein the pointers include one or more of a group of information strings referencing source data files and including a file source path, a file start offset, a file end offset, and a file pad to size; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 24,

wherein the processing of the ordering data structures includes program instructions for passing the ordering data structures to a CD recording engine, the CD recording engine writing the set of files onto the optical disc in the writing order; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 25,

receiving a request to write the set of files; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

As to claim 26,

defining a file system database block; See Abstract; Figs.: 2A-B, 4, 6A; 1:39-67; 3:8-67; 4:1-11; 5:20-67; 6:1-40; 7:20-39; 8:25-54; 9:1-18.

Response to Arguments

Applicant's arguments are not deemed to be persuasive.

Applicant primarily argues that McMurdie does not disclose applicant's data structures, such as user data, gaps, tracks, file system and so forth.

In response, applicant argues that which is not claimed. Should applicant claim elements of the data structure along with the current limitations, Examiner would be amenable to those changes.

Conclusion


THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.


Charles L. Rones
Primary Examiner
Art Unit 2175

March 4, 2003